



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUL 08 2005

Robert Arnold
Division Administrator
Federal Highway Administration
Leo W. O'Brien Federal Building
North Pearl Street
Albany, New York 12207

Dear Mr. Arnold:

The Environmental Protection Agency (EPA) has reviewed the final supplemental environmental impact statement (final SEIS) for the Route 9A Project, West Thames Street to Chambers Street, New York, New York (CEQ #20050224). This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA).

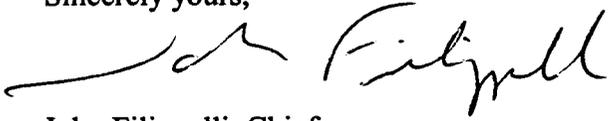
This final SEIS supplements the 1994 Route 9A reconstruction project final EIS, and only addresses the section of Route 9A from Chambers Street south to West Thames Street. The need for the project is to repair and restore this section of Route 9A, which was damaged on September 11, 2001 when the World Trade Center was destroyed. At that time, this section of Route 9A was nearly completed as an eight lane highway, as had been proposed in the 1994 final EIS. After September 11, this segment of Route 9A was temporarily reconstructed as a six lane highway, with no median and no turning lanes. The draft SEIS released in 2004, proposed three alternatives: no-action; reconstruct Route 9A to its originally intended eight lane at-grade configuration; or construct a short bypass consisting of four lanes (two in each direction), placed below grade and four lanes at surface. The at-grade eight lane alternative has been selected as the preferred alternative.

In July 2004, EPA commented on the draft SEIS for this project, wherein we rated the project with Environmental Concerns (EC), and insufficient information (2). Our rating was based upon the concerns with the project's impacts to air quality, both directly and cumulatively, and the need for further information regarding the analyses that were performed for air quality, hazardous materials, and mitigation measures for air impacts.

The final SEIS adequately addresses our concerns. We want to reiterate our support for the Environmental Performance Commitments (EPCs), the Construction Environmental Protection Plan (CEPP), and the revised and coordinated construction schedule as developed by the Construction Coordination Group. Our belief is that these efforts will minimize the impacts to air quality and other resources of concern and provide sufficient protection to human health and the environment of Lower Manhattan during the construction of Route 9A and other local projects. We also encourage FHWA to continue to explore additional mitigation measures, such as emulsified fuels and electrification, for feasibility and use. We recommend that the EPCs, the CEPP and the implementation plan appear in the Record of Decision (ROD) to memorialize these exceptional commitments.

Thank you for the opportunity to comment on this project. If you have any questions concerning our comments, please have David Carlson of my staff contacted at (212) 637-3502.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Filippelli". The signature is written in a cursive style with a long horizontal stroke extending to the left.

John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch

cc: R. Schmalz, NYSDOT